

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 6116

BILL NUMBER: HB 1366

DATE PREPARED: Dec 7, 2001

BILL AMENDED:

SUBJECT: Court Fees.

FISCAL ANALYST: Mark Goodpaster

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FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill has the following provisions:

- (A) It reduces the deposit that must be made to transfer a case from a small claims docket to a plenary docket from \$70 to \$65.
- (B) It establishes a \$2 records management fee to be collected in all civil and criminal cases.
- (C) It provides that money in a clerk's record perpetuation fund may be used for any document management purpose.
- (D) It makes technical corrections.

Effective Date: July 1, 2002.

Explanation of State Expenditures:

Explanation of State Revenues: Provision A: Reducing the deposit from \$70 to \$65 will result in a revenue loss of \$5 for each case that is transferred from small claims to civil dockets. The State General Fund receives 70% of the deposit. Consequently, the state's share would be reduced by \$3.50 per case. The number of cases that are transferred from small claims to civil dockets is not known.

Explanation of Local Expenditures:

Explanation of Local Revenues: Provision A: The general funds at the county and municipal level receive 30% of the deposit. Consequently, the local share would be reduced by \$1.50 per case. The number of cases that are transferred from small claims to civil dockets are not known.

Provision B: A \$2 records management fee added to the current court fees is estimated to generate \$1.9 M. This revenue would be deposited in the clerk's record perpetuation fund for the preservation of records, the improvement of record keeping systems and equipment, or any document management purpose.

State Agencies Affected:

Local Agencies Affected: Clerks of trial courts and city and town courts.

Information Sources: 2000 Judicial Report.